

AO 441 (Rev. 9/00) Third Party Summons in a Civil Action

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

PLAINTIFF

Carpenters Fringe Benefit Funds of Illinois and
Michael T. Kucharski, as Administrative
Manager

**THIRD PARTY SUMMONS IN A
CIVIL ACTION**

V. DEFENDANT AND THIRD PARTY PLAINTIFF

Chakra, Inc.

CASE NUMBER: 08 C 608

ASSIGNED JUDGE: Kocoras

V. THIRD PARTY DEFENDANT

DESIGNATED
MAGISTRATE JUDGE: Ashman

Chicago Regional Council of Carpenters
Pension Fund, the Chicago Regional Council of
Carpenters Welfare Fund and the Chicago
Regional Council of Carpenters Apprentice and

TO: Name and address of Third Party Defendant

Chicago Regional Council of Carpenters
Pension Fund

12 East Erie Street, Chicago, IL 60611

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Patrick N. Ryan
Baum, Sigman, Auerbach & Neuman, Ltd.
200 W. Adams Street, Suite 2200
Chicago, IL 60606

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY
(name and address)

Joseph P. Berglund
Kenneth M. Mastny
Berglund & Mastny, P.C.
900 Jorie Blvd, Suite 122
Oak Brook, IL 60521

an answer to the third-party complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

MICHAEL W. DOBBINS, CLERK

MAY 14 2008

C. MERCADO
(By) DEPUTY CLERK

DATE

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>21 May 08</u>	
NAME OF SERVER (PRINT) <u>HOWARD WAYNE BUNCH</u>	TITLE <u>PI</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the third-party defendant. Place where <u>12 E ERIE CHgo</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on <u>21 May 08</u> <small>Date</small> </div> <div style="width: 60%;"> <u>Edward Wayne Bunch</u> <small>Signature of Server</small> </div> </div> <div style="margin-top: 20px;"> <u>6321 W 63rd</u> <small>Address of Server</small> <u>CHgo IL 60638</u> </div> <div style="margin-top: 20px; text-align: left;"> <u>Lisa M. Esposito</u> </div> <div style="margin-top: 10px; border: 2px dashed black; padding: 5px; text-align: center;"> <small>OFFICIAL SEAL</small> <small>LISA M ESPOSITO</small> <small>NOTARY PUBLIC - STATE OF ILLINOIS</small> <small>MY COMMISSION EXPIRES: 05/04/10</small> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.